

01  
02  
03  
04  
05 UNITED STATES DISTRICT COURT  
06 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

07 UNITED STATES OF AMERICA, )  
08 Plaintiff, ) Case No. CR00-0184-TSZ-JPD  
09 v. ) SUMMARY REPORT OF U.S.  
10 JONATHAN VANDERMUELEN, ) MAGISTRATE JUDGE AS TO  
11 Defendant. ) ALLEGED VIOLATIONS  
OF SUPERVISED RELEASE  
12 \_\_\_\_\_ )

13 An initial probation revocation hearing on supervised release violations in this case was  
14 scheduled before the undersigned Magistrate Judge on February 8, 2006. The United States was  
15 represented by Assistant United States Attorney Susan M. Roe, and the defendant by Mr.  
16 Terrence Kellogg. The proceedings were recorded on cassette tape.

17 The defendant had been sentenced on or about October 27, 2000, by the Honorable  
18 Thomas S. Zilly on a charge of conspiracy to import and distribute 100 or more kilograms of  
19 marijuana in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(B), 846, 952(a), 960(b)(2)G, and  
20 963. The defendant was sentenced to thirty-seven (37) months in custody, followed by five (5)  
21 years of supervised release.

22 The conditions of supervised release included the requirement that the defendant comply  
23 with all local, state, and federal laws, and with the standard conditions. Special conditions  
24 imposed were substance-abuse treatment, search consent, no new credit obtained without the  
25 United States Probation Officer's approval, provide financial disclosure, a fine in the amount  
26 of \$7,500, and 120 days of electronic home monitoring.

01 In a Petition for Warrant or Summons for Offender Under Supervision dated January 17,  
 02 2006, U.S. Probation Officer Steven R. Gregoryk asserted the following violations by defendant  
 03 of the conditions of his supervised release:

04 (1) Failing to submit a urinalysis sample that could be tested on September 28, 2005,  
 05 October 7, 2005, and January 10, 1006, in violation of the special condition of supervision  
 06 stating that the defendant shall participate in a program for the treatment of narcotic addiction,  
 07 which may include drug testing in order to determine if he has reverted to the use of drugs.


08 (2) Using cocaine on or about January 10, 2006, in violation of standard condition  
 09 No. 7.

10 With the consent of defendant, on February 2, 2006, the Honorable Thomas S. Zilly  
 11 modified the October 27, 2006, conditions and terms of supervised released to include that  
 12 defendant complete forty (40) hours of community service by April 30, 2006, at the direction  
 13 of his probation officer.

14 The defendant admitted to violations No. 1 and 2, and waived any rights to an  
 15 evidentiary hearing as to whether they occurred.

16 I therefore recommend that the Court find the defendant to have violated the terms and  
 17 conditions of his supervised release as to violations No. 1 and 2, and that the Court conduct a  
 18 hearing limited to disposition. The hearing has been set before the Honorable Thomas S. Zilly  
 19 for June 8, 2006, at 3:00 p.m. Pending a final determination by the Court, the defendant has  
 20 been released, subject to continued supervision.

21 DATED this 8th day of February, 2006.

22   
 23 JAMES P. DONOHUE  
 United States Magistrate Judge

24 cc: District Judge: Honorable Thomas S. Zilly  
 25 AUSA: Ms. Susan Roe  
 26 Defendant's attorney: Mr. Terrence Kellogg  
 Probation officer: Mr. Steven R. Gregoryk